

Petition for Exemption From State Supervision of Local Air Pollution Control Programs to the Tennessee State Air Pollution Control Board

The Tennessee Air Quality Act (TCA §§ 68-201-115(a)) allows local governments to adopt regulations that are not less stringent than those of the State. Specifically, TCA §§ 68-201-115(a) states:

“(a) Any municipality or county in this state may enact, by ordinance or resolution respectively, air pollution control regulations not less stringent than the standards adopted for the state pursuant to this part...”

Additionally, TCA §§ 68-201-115(b)(3) states:

“(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;”

These provisions in the TCA allow the Tennessee Air Pollution Control Board to grant a certificate of exemption from State supervision to any municipality or county in Tennessee.

Therefore, this petition with supporting information is being presented to allow entities an exemption from State supervision. These entities are referred to here as “Local Programs” to conduct the regulatory requirements typically conducted by the State Air Pollution Control Division. The petition can be for a duration up to two years (TCA §§ 68-201-115(c)(1)).

Also TCA §§ 68-201-115(b)(6) limits the exemption to the language and areas of authority specifically stated in the exemption. Therefore, the Local Program for Shelby County is requesting to be exempted from the provisions of the Tennessee Air Quality Act with respect to the power and authority to enforce the following (add list of provisions for which the Local Program requests exemption):

1. Ambient air quality standards;

2. Open burning regulations;

3. Visible emission standards;

4. Non-process emission limitations;
5. Process emission limitations;
6. Fugitive dust regulations;
7. Permitting requirements:
 - A. Construction Permits:
 - (1) New Source Review – Growth Policy
 - (2) PSD authority
 - (3) Minor Source Permits
 - B. Operating Permits:
 - (1) Initial and Renewal
 - (2) Federally Enforceable
 - C. Part 70 Operating Permits
 - D. Asbestos Demolition and Renovation Projects
8. All National Emission Standards for Hazardous Air Pollutants, and Maximum Achievable Control Technology Standards and other standards and regulations for hazardous air pollutants (including authority to determine Maximum Achievable Control Technology Standards) and authority to incorporate them into permits to comply with all provisions of Section 112 of the Federal Clean Air Act and enforcement of these standards and regulations;
9. Methods of sampling and analysis;
10. Enforcement and Compliance provisions;
 - Determining that any decision of the local Board or of any order, final order, determination, rule, regulation or ordinance of the Director of the Shelby County Health Department or of her designated representative, or of any included governmental entity, where applicable, has been violated, that such violation constitutes a public nuisance, and abating such a public nuisance in the manner provided by the general law relating to the abatement of public nuisances, and instituting legal proceedings to abate a public nuisance on behalf of a municipality or a county;
 - Instituting, or causing to be instituted in a court of competent jurisdiction, legal proceedings to compel compliance with any decision of the local Board or with any order, final order, determination, rule, regulation or ordinance of the

Director of the Shelby County Health Department or her designated representative, or of any included governmental entity where applicable;

- Obtaining compliance with air pollution control rules and regulations by conference, conciliation, persuasion, issuance of formal notices of violation and prosecution thereof; including when appropriate, holding hearings and issuing orders to assess civil penalties for each violation where each day of violation is a separate offense, and including, when appropriate, judicial proceedings or referral to the U.S. Environmental Protection Agency or district attorney general for prosecution;
- Providing for appellate review by the local air board of decisions, rulings, determinations, failure to act, or to act within a reasonable timeframe, by the Shelby County Health Department.;

11. Control of emissions of particulate matter including PM₁₀, and PM_{2.5} and precursors;

12. Control of emissions of carbon monoxide;

13. Control of emissions of the precursors to ozone including volatile organic compounds and nitrogen oxides;

14. Control of emissions of sulfur oxides, emissions of sulfuric acid and sulfur trioxide (combined);

15. Control of emissions of lead;

16. Emergency episode regulations including emergency stop orders;

17. New Source Performance Standards (NSPS) as set forth in Chapter 1200-3-16 and 40 CFR Part 60 and Emission Guidelines as set forth in 40 CFR Part 60, after adoption as local laws, as listed below:

- General Provisions;
- Fossil fuel-fired steam generating units of more than 250 million Btu/hr heat input rate which commenced construction after August 17, 1971;
- Fuelfired steam generatorsfor which construction commenced after April 3, 1972;
- Electric utility steam generating units for which construction commenced after September 18, 1978;
- Incinerators;

- Municipal waste combustors;
- Portland cement plants;
- Sulfuric acid plants;
- Nitric acid plants;
- Asphalt concrete plants (hot mix asphalt facilities);
- Petroleum refineries;
- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after June 11, 1973 and prior to May 19, 1978;
- Storage vessels for petroleum liquids for which construction, reconstruction, or modification commenced after May 18, 1978 and prior to July 23, 1984;
- Secondary lead smelters;
- Secondary brass and bronze ingot production plants;
- Primary emissions from basic oxygen process furnaces for which construction is commenced after June 11, 1973;
- Sewage treatment plants, incinerators;
- Phosphate fertilizer industry for:
 - Wet process phosphoric acid plants;
 - Super phosphoric acid plants;
 - Diammonium phosphate plants;
 - Triple superphosphate plants;
- Granular triple superphosphate storage facilities;
- Primary aluminum reduction plants;
- Coal preparation plants;
- Primary copper smelters;

- Primary zinc smelters;
- Primary lead smelters;
- Steel plant electric arc furnaces constructed after October 21, 1974 and on or before August 17, 1983;
- Ferroalloy production;
- Lime Manufacturing plants;
- Kraft pulp mills;
- Grain elevators;
- Stationary gas turbines;
- Ammonium sulfate manufacture;
- Glass manufacturing plants;
- Automobile and Light-duty truck surface coating operations;
- Asphalt processing and asphalt roofing manufacture;
- Industrial surface coating: large appliances;
- Surface coating of metal furniture;
- Metal coil surface coating;
- Graphic arts industry: Publication Rotogravure Printing;
- Beverage can surface coating industry;
- Metallic mineral processing plants;
- Pressure sensitive tape & label surface coating operations;
- Equipment leaks of VOC in the synthetic organic chemicals manufacturing industry;
- Bulk-gasoline terminals;
- Synthetic fiber production facilities;

- Lead-acid battery manufacturing plants;
- Equipment leaks of VOC in petroleum refineries;
- Flexible vinyl & urethane coating and printing;
- Petroleum dry cleaners;
- Phosphate rock plants;
- Equipment leaks of VOC from onshore natural gas processing plants;
- Electric arc furnaces and argon-oxygen decarburization vessels constructed after August 7, 1983;
- Onshore natural gas processing: SO₂ emissions;
- Non-metallic mineral processing plants;
- Secondary emissions from basic oxygen process steelmaking facilities for which construction is commenced after January 20, 1983;
- Wool fiberglass insulation manufacturing plants;
- Industrial Surface Coating: plastic parts for business machines;
- Industrial-commercial-institutional steam generating units;
- Rubber Tire Manufacturing Industry;
- Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed on or after July 23, 1984;
- Calciners and Dryers in Mineral Industries;
- Municipal Solid Waste Landfills;
- Small industrial-commercial-institutional steam generating units;
- Hospital/medical/infectious waste incineration;
- Volatile organic compound (VOC) emissions from the polymer manufacturing industry;
- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) air oxidation unit processes;

- Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) distillation operations;
 - Volatile organic compound (VOC) emissions from petroleum refinery wastewater systems;
 - Volatile organic compound (VOC) emissions from the synthetic organic chemical manufacturing industry (SOCMI) reactor processes;
 - Magnetic tape coating facilities;
 - Polymeric coating of supporting substrates facilities;
 - Commercial and industrial solid waste incineration units for which construction is commenced after November 30, 1999 or for which modification or reconstruction is commenced on or after June 1, 2001;
18. Emission limitations for hospital/medical/infectious waste incineration;
 19. Administrative procedures including emissions credit banking and emissions trading policy statements;
 20. Emissions limitations and monitoring;
 21. Regulation of malfunctions, start-ups, and shutdowns;
 22. Alternate emissions limitations;
 23. General policies or plans; [Ozone Attainment and Maintenance Plans (SIP); * Program Operating Procedures; Carbon Monoxide Maintenance Plan (SIP); Lead Maintenance Plan (SIP); Particulate Matter Control Plan (PM_{2.5});
 24. System of permits and/or certificates and emission fees to include the Title V Permit Program;
 25. Scheduling and collecting of fees for review of plans and specifications, issuance or renewal of permits or certificates (including Title V permit fees), inspection of air pollutant sources, including building demolition and renovation, and computer and research time;
 26. Developing and recommending a comprehensive air pollution control program, reviewing such program, and recommending changes as may be deemed appropriate;
 27. Requiring the furnishing of information from persons causing, or who may be about to cause air pollution;

28. Entering in or upon private or public property for the purpose of inspecting and investigating any air contaminant source;
29. Receiving, budgeting, receipting for and administering such monies as are appropriated or granted for carrying out the program of the local Board;
30. Collecting and disseminating information relative to air pollution; encouraging voluntary cooperation in preserving and restoring a reasonable degree of air purity; and advising, consulting and cooperating with other agencies, persons or groups in matters pertaining to air pollution;
31. Handling correspondence, keeping records, preparing reports and performing such duties as are necessary or authorized;
32. Granting or denying petitions for variances after first submitting variances to be issued to the Tennessee Division of Air Pollution Control for review;
33. Regulation of Infectious Waste Incinerators;
34. Regulation of good engineering practice stack height requirements;
35. Abatement of air contaminants, uncombined water, or a combination which reduces visibility across any road to cause a hazard;
36. Transportation Conformity Rule requirements;
37. Confidentiality determinations;

A. Demonstration of Enforcement Authority

1. Please provide the following data for enforcement activities occurring during the calendar years 2016 - 2017:

[illegible]

	CY 2016	CY 2017
Number of Notices of Violation	<u>2</u>	<u>7</u>
Number of Warning Letters	<u>2</u>	<u>7</u>
Number of Orders for Corrective Action only	<u>0</u>	<u>0</u>
Number of Civil Penalty Assessments only	<u>2</u>	<u>7</u>
Number of Civil Penalty Assessments and Orders for Corrective Action (both in the same order)	<u>2</u>	<u>7</u>
Total Amount Assessed	400	5,180

Total Amount Collected	<u>400</u>	<u>4,780</u>
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2. How many notifications for asbestos/demolition activities were received in Federal FY2017?

200

3. How many asbestos compliance inspections were conducted in Federal FY2017?

Compliance Insp. 228
Site Insp. 120

- *a. How many of these inspections included entry into containment areas during active removal to observe work practices?

35

4. How many Notices of Violation for asbestos/demolition were issued?

3

5. Are there any issues or concerns, regarding asbestos, with state owned facilities in your county?

NO

B. Staffing and Regulatory Authority

1. Please provide a current staff chart showing personnel and functions.

See attached

2. Number of budgeted positions?

34

3. Number of vacant positions?

1

4. What steps are being taken to fill position(s)?

Job is posted and advertised at present

5. Are there any expected staff cuts or expansions?

Yes, 2 will be cut from Major Sources Branch due to declining revenues and loss of 2 major sources. We do not anticipate any loss in quality of work.

6. Is the State informed of regulatory changes?

yes

7. Are your regulations available online? If so, how current are your regulations? If not, why not?

Yes

8. Do your local provisions contain any land use or zoning requirements? If so, where, and how do you intend to address the requirements of TCA 68-201-115(f) and (g)? Please explain.

No, letter stating this fact submitted to State on 8/28/17 and acknowledged on 9/15/17

C. Local Agency Air Pollution Control Board

1. Please provide a current list of the local Air Pollution Control Board members and their term expiration dates.

See attached. Please note that most of the terms are shown as expired, but none of those expired have expressed a desire to leave the board and they are all going to go through the "re approval" process. Our bylaws provide the ability for them to serve until they are re appointed or replaced. Our process involves approval by both City and County government and saying it is slow is an understatement.

2. Is your Board or Commission fully staffed?

no

a. If there are vacancies, how long have they existed and when do you anticipate that they will be filled?

We have two vacancies at present. One is being filled now. This is the Profesional Engineer position and should be filled within next 60 days. The physician position on the Air Board has been very problematic. We have tried and continue to try and recruit a member but it has been difficult. It has been vacant since 2013.

The Board meets on an as-needed basis for Board business which includes review of Title V emission fees, appeals, and variances. The local Board does not have rule-making authority. In recent times, it has met as little as twice in one year and as often as 6 times.

1. Please provide a status report for each EPA - requested SIP revisions that pertains to your county (see Table 2 below). When and how do you plan to respond to EPA's request? Are there any other SIP revisions in process, if so, at what point are they in the process?

2. Please list the local rules/ordinances that have been adopted since the last Certificate of Exemption was granted (July 1, 2016). Also include any which were not incorporated into the State Implementation Plan (please denote these). Describe why each rule revision was undertaken.

Table [222222222222222222222222](#). Current EPA SIP Log.

E. Permit Program Operation

1. What sources are exempt from permit requirements?

Local rules regarding exemptions are identical to State rules found at 1200-3-9-.04

2. What is the frequency of operating permit renewal?

Though not set specifically by the code, operating permits are typically issued for 5 years.

3. Does your program have permit application fees? If yes, what are they?

Construction - \$265.00

PSD - \$3960.00

NSPS - \$660.00

NESHAP - \$660.00

Modeling (Major) - \$2640.00

Modeling (Minor) - \$660.00

4. Does your program charge a fee for modifying a Title V permit?

Administrative - \$130.00

Less than 10 tons per year - \$130.00

More than or equal to 10 tons but less than 50 tons per year - \$330.00

More than 50 tons per year - \$660.00

5. Does your program charge a fee for extending the expiration date of construction permits?

No

6. Does your program have annual emission fees? If yes, what are they? Do you have a minimum fee? If yes, what is it? What sources are subject to this fee, and which are not?

The current emissions fee is \$53.00 per ton of regulated pollutant excluding carbon monoxide with a \$1500.00 minimum emissions fee for Synthetic Minor and Major Sources. There is also an annual permit fee schedule which ranges from \$65 for sources permitted for less than 25 tons per year up to \$5000 for Title V Sources.

7. How do you determine which applications will receive a public hearing?

A hearing is always scheduled for release of the preliminary determination on all PSD/NSR permits. The notice for Title V permits and modifications allows for the public

to request a hearing. If there is reason to believe there is special public interest in a given facility, a hearing will be set for release of the draft permit without waiting for a request.

8. Do you hold public hearings for controversial applications for which a hearing is not required?

It has occurred in the past.

9. Is a public notice required for all construction permit applications? If not, which are exempt? If so, how is notice made to the public, and for how long?

Yes. A minimum 30-day comment period is required for all construction permit applications and modifications. The notices are physically published in The Daily News and sent out by e-mail to a list of people who have requested receipt of these notices, as well as to current Board members and a representative of each legislative body in Shelby County. We also offer a hard-copy direct mail-out for a nominal annual fee, but no one has signed up for that type of notice.

10. Are draft permits available on your website for public comment before issuance of the permit? If yes, what is the time frame? If no, why not?

No we do not have the capability at this time. We would like to move in this direction.

F. Compliance Monitoring

1. Is this agency involved in litigation with any company (if yes, explain)?

No

2. Explain the main enforcement problems, if any, in your county?

We have reworked our ownership database for retail service stations and this has helped greatly in keeping track of ownership issues noted in the last COE petition.

3. Does your agency have source testing capability?

Very minimal

4. Are source tests witnessed?

Generally, all source tests are witnessed at least during some portion of the testing.

5. How many of the following sources are located in your county?

Title V sources:	<u>29</u>
Conditional Major (synthetic minor):	<u>104</u>
True Minor:	<u>264</u>

6. What procedures are employed to ensure that such sources are operating within their synthetic or conditional limit?

Yearly reporting of emissions for emissions inventory and emission fee payment purposes. All synthetic minor sources are inspected yearly to assure compliance with permit conditions. All Minor Sources are on a schedule to be inspected at least once every three years .

7. How many sources are required to have continuous in stack monitors (please list sources and types of monitors)?

Valero Refining Company – Tennessee, L.L.C. NO_x, SO₂, O₂, CO₂ and CO
(Source #00101)

Nucor Steel Memphis, Inc. (Source #00710) CO, NO_x and SO₂

Penn-A-Kem (Source #00274) NO_x and O₂

AB Mauri Inc, dba Fleischmann's Yeast, Inc. VOC
(Source #00205)

American Yeast Corporation VOC
(Source #00904)

Lucite International, Inc. SO₂
(Source #00475)

Tennessee Valley Authority - Allen Steam Plant SO₂, CO₂, NO_x, COMS

8. Does the local agency implement continuous emissions monitoring requirements for the NO_x SIP Call, CSAPR and the Data Requirements Rule? Please explain.

No

G. Air Monitoring

1) Does the current monitoring network address all major source impacts?

Yes

2. Are all source oriented monitoring sites identified as such in the current ANMP and in AQS?

NA

3. Do all NCore/SLAMS monitoring sites meet siting criteria?

Yes

4. Is the most recent annual network review completed? Please include any comments or requested corrective actions provided by EPA upon their review and approval/partial approval of the most recent ANMP.

Yes, the last annual network plan was submitted by TDEC on June 30, 2017 for all of the TN Local Programs. EPA submitted an approval letter on October 11, 2017. Shelby County requested a waiver to allow meteorological measurements for cloud cover and ceiling heights to be obtained from other nearby sites for the PAMS requirement in 2019. See page two of attachment labeled "G-4"

5. Does your agency have an emergency episode monitoring procedure? Please explain.

No

6. Does your agency operate any Special Purpose Monitoring sites? If so, please describe.

No, but we are continuing to work with Region 4, the U of M and EPA's OAR to do 2 special monitoring studies involving particulate matter and PAH concentrations.

7. Please identify any deficiencies noted in the most recent State monitoring network audit and how and when those will be addressed.

See attachment labeled G-7

8. Please identify any deficiencies noted during the most recent TSA performed by EPA and when those were addressed.

See attachment G-8

H. Air Quality Data Management Systems

1. How often is air quality data submitted to the EPA AQS system?

We submit directly to the AQS on a monthly basis

~~2~~2. What procedure is used to document biased data?

This agency follows the recommendations in the QMP and QAPP approved by EPA.

~~3~~3. Are quality assurance/quality control procedures being fully implemented? Please describe?

Yes, QA/QC procedures follow the recommendations described in the updated QAPP under revision by the EPA

~~4~~4. Are all of your QMPs and QAPPs current and approved by EPA? Please provide a copy of your current QMP and any QAPPs in use by your agency.

Our Air Monitoring Branch has submitted a draft QAPP on July 24th, 2017 and it is under review and comment.

~~5~~5. What are the expiration dates for your current QAPPs?

The Section's current QAPP was approved in 2010 and is currently being revised. A revision was submitted on 7/24/17. After receipt of comments a revision was submitted on 2/5/18

~~6~~6. Who is the quality assurance coordinator?

Judy Low

~~7~~7. What laboratory facilities are available? Please explain.

EPA - RTP for lead analysis, EPA Region IV laboratory for certification of ozone standard; Inter Mountain Laboratories for PM 2.5 filter analysis. PM 2.5 speciation analysis is performed by Amec Foster Wheeler of Gainsville FL and the laboratory analysis contract is performed by Unverisity of California at Davis, Air Monitoring Lab.

I. Comments and Recommendations

1. Are there any concerns regarding program administration, staffing or funds? Has your agency analyzed the impact of reduced emissions on Title V fee collections? If yes, are you anticipating a need to increase Title V fees in order satisfy Title V program funding requirements? Is there a schedule for revising your Title V fee structure to meet any funding needs?

Concerns continue to exist with the Title V permit fees. Our emissions inventory from stationary sources continues to drop and the cost to operate the program continues to remain relatively stable. This means to continue to receive the same level of service, air pollution fees must increase in the future. We have done this in late 2017 but the issue will come up again within the next 2 years.

2. Are there any concerns with your local program's ability to adequately enforce your provisions as required in TCA 68-201-115(b)(3)(B)?

No

3. Was an updated air monitoring equipment inventory and condition status listing included in the most recent ANMP submitted? Are there any air monitoring system equipment needs? If yes, provide your air monitoring equipment acquisition/replacement plan that was developed based on the equipment condition and status inventory included in the most recent ANMP.

Yes, and equipment inventory and condition status listing was included in the 2017 Annual Network Plan. There is no current air monitoring equipment system needs, but the Air Monitoring Branch will begin the transition process, budget allowing, of converting the FRM based PM 2.5 filter based samples to continuous FEM PM 2.5 samplers. Also as the age of instruments increases and when the budget allows, replacement instrumentation will be purchased to ensure that a spare instrument is available if monitors have to be replaced.

4. Please list any recent Local Program accomplishment and highlights.

Successfully raising our Title V emission fees from 48.00 per ton to 53.00 ton

Continuing to work with University of Memphis and EPA on the PAH Special Study Grant.

Successful RVP petition

5. Are there any anticipated issues that might impede the Local Program's ability to continue to administer the Local Program during the next Certificate of Exemption (COE) cycle? If yes, please explain.

No

J. Certification of Local Authority

Crosswalk between the Rules of the Tennessee Department of Environment and Conservation Air Pollution Control Division and the Local Air Pollution Control Agency

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-01</u>	General Provisions	<u>Memphis 16-51 Shelby 3-11</u>	<u>Severability</u>
<u>1200-03-02</u>	Definitions	<u>Memphis 16-46 Shelby 3-1A</u>	<u>Adopted by reference (ABR) 1200-03-02 Definitions</u>
<u>1200-03-03</u>	Ambient Air Quality Standards	<u>Memphis 16-49 Shelby 3-6</u>	<u>ABR 1200-3-03 Ambient Air Quality Standards</u>
<u>1200-03-04</u>	Open Burning	<u>Memphis 16-50 Shelby 3-16</u>	<u>Open Burning</u>
<u>1200-03-05</u>	Visible Emission Regulations	<u>Memphis 16-83 Shelby 3-17</u>	<u>ABR 1200-3-05 Visible Emissions Regulations</u>
<u>1200-03-06</u>	Non-process Emission Standards	<u>Memphis 16-79 Shelby 3-21</u>	<u>ABR 1200-03-06 Non-process Emission Standards</u>
<u>1200-03-07</u>	Process Emission Standards	<u>Memphis 16-78 Shelby 3-20</u>	<u>ABR 1200-03-07 Process Emission Standards</u>
<u>1200-03-08</u>	Fugitive Dust	<u>Memphis 16-88 & 16-89 Shelby 3-19 & 3-18</u>	<u>Nuisance Abatement and Fugitive Dust</u>
<u>1200-03-09</u>	Construction and Operating Permits	<u>Memphis 16-77 Shelby 3-5</u>	<u>ABR 1200-03-09 Construction and Operating Permits</u>
<u>1200-03-10</u>	Required Sampling, Recording, and Reporting	<u>Memphis 16-78 Shelby 3-7</u>	<u>Testing and Monitoring Air Contaminant Sources and ABR 1200-03-10.02 Required Sampling, Recording and Reporting (See local ABR 1200-3-12)</u>
<u>1200-03-11</u>	Hazardous Air Contaminants	<u>Memphis 16-81 Shelby 3-25</u>	<u>ABR 1200-03-11 Hazardous Air Contaminants</u>
<u>1200-03-12</u>	Methods of Sampling and Analysis	<u>Memphis 16-86 Shelby 3-8</u>	<u>Test Methods and ABR 1200-03-12.04 (See local ABR 1200 3-10</u>
<u>1200-03-13</u>	Violation	<u>Memphis 16-56 Shelby 3-2</u>	<u>Violations of Chapter, Notice, Citation and Injunctive Relief</u>

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-14</u>	Control of Sulfur Dioxide Emission	<u>Memphis 16-82 Shelby 3-24</u>	<u>ABR 1200-03-14 Control of Sulfur Dioxide Emission</u>
<u>1200-03-15</u>	Emergency Episode Plan	<u>Memphis 16-60 Shelby 3-14</u>	<u>ABR 1200-3-15 Emergency Episode Plan</u>
<u>1200-03-16</u>	New Source Performance Standards	<u>Memphis 16-76 Shelby 3-15</u>	<u>ABR 1200-03-16 New Source Performance Standards</u>
<u>1200-03-17</u>	Reserved	Click here to enter text.	Click here to enter text.
<u>1200-03-18</u>	Volatile Organic Compounds	<u>Memphis 16-80 Shelby 3-22</u>	<u>ABR 1200-03-18 Volatile Organic Compounds</u>
<u>1200-03-19</u>	Emission Standards and Monitoring Requirements for Additional Control Areas	NA	NA
<u>1200-03-20</u>	Limits on Emissions Due to Malfunction, Startups and Shutdowns	<u>Memphis 16-87 Shelby 3-9</u>	<u>ABR 1200-03-20 Limits on Emissions Due to Malfunction, Start up and Shutdowns.</u>
<u>1200-03-21</u>	General Alternate Emission Standards	<u>Memphis 16-90 Shelby 3-28</u>	<u>ABR 1200-03-21 General Alternate Emission Standards</u>
<u>1200-03-22</u>	Lead Emission Standards	<u>Memphis 16-91 Shelby 3-29</u>	<u>ABR 1200-03-22 Lead Emission Standards</u>
<u>1200-03-23</u>	Visibility Protection	NA	NA
<u>1200-03-24</u>	Good Engineering Practice Stack Height Regulations	<u>Memphis 16-52 Shelby 3-40</u>	<u>ABR 1200-03-24 Good Engineering Practices Stack Height Regulations</u>
<u>1200-03-25</u>	Standards for Infectious Waste Incinerators	<u>Memphis 16-91.1 & 16-84.1 Shelby 3-39</u>	<u>ABR 1200-03-25 Standards for Infections</u>
<u>1200-03-26</u>	Administrative Fees Schedule	<u>Memphis 16-93 thru 16-103 Shelby 14.5-26 thru 14.5-37</u>	<u>Memphis 16-93, Applicability and Enforcement Authority; 94 Permit Fee Schedule;-95, Emissions Fee for Stationary Sources;-96, Payment of Fees;-97, Allowable Uses of Emissions Fee;-98, Reporting Requirements;-99, Small Business Waiver;-100, Surplus Funds Carry Forward;-101, Penalty Provisions;-102, Annual Review of Fee Structure and Financial Need;-103, Severance Shelby 14.5;-26, Enforcement Authority;-27, Allowable Uses for Emissions Fee;-28, Emissions Fee for Stationary Sources;-29 Maximum Amount Subject to Emissions Fee;-30, Reporting Requirements;-31, Payments of Fees;-32 Small Business Waiver;-33, Exemption for Units Subject to Section 404 Provisions of the Clean Air Act;-34 Surplus Funds Carry Forward;-35 Penalty Provisions;-36, Annual Review of Fee Structure and Financial Need;-37 Effect on Existing Fee.</u>

Tennessee Division of Air Pollution Control Regulations		Local Program Regulations	
Chapter	Description	Chapter	Description
<u>1200-03-27</u>	Nitrogen Oxides	<u>NA</u>	<u>NA</u>
<u>1200-03-28</u>	Reserved	<u>NA</u>	<u>NA</u>
<u>1200-03-29</u>	Light-Duty Motor Vehicle Inspection and Maintenance	<u>NA</u>	<u>NA</u>
<u>1200-03-30</u>	Acidic Precipitation Control	<u>Memphis 16-19.2 Shelby 3-36</u>	<u>ABR 1200-03-30 Acidic Precipitation Control</u>
<u>1200-03-31</u>	Case-By-Case Determinations of Hazardous Air Pollutant Control Requirements	<u>Memphis 16-91.3 Shelby 3-37</u>	<u>ABR 1200-03-31 Case by Case Determination of Hazardous Air Pollutant Control Requirements</u>
<u>1200-03-32</u>	Prevention of Accidental Releases	<u>Memphis 16-52 Shelby 3-38</u>	<u>ABR 1200-03-32 Prevention of Accidental Releases</u>
<u>1200-03-33</u>	Reserved	Click here to enter text.	Click here to enter text.
<u>1200-03-34</u>	Conformity	<u>Memphis 16-91.5 Shelby 3-26</u>	<u>ABR 1200-03-34 Conformity</u>
<u>1200-03-35</u>	Reserved	Click here to enter text.	Click here to enter text.
<u>1200-03-36</u>	Motor Vehicle Tampering	<u>NA</u>	<u>NA</u>
<u>1200-03-37</u>	Reserved	Click here to enter text.	Click here to enter text.
400-30-17	Conflict of Interest	<u>Shelby 18-51 & 18-53</u> <u>Memphis 2-10-13</u>	<u>Code of Ethics</u>

I hereby certify in order to support a determination pursuant to Tenn. Code Ann. § 68-201-115(b)(3) for exemption from applicability within (list County and Municipalities):

[Shelby County, Memphis, Arlington, Bartlett, Collierville, Germantown, Lakeland, and Millington](#)

that:

| -1) Based on information and belief formed after reasonable inquiry, that the enacted or adopted provisions of local law in effect within my jurisdiction, are not less stringent than corresponding state provisions of the Tennessee Air Quality Act (§ 68-201-101 et. seq.) and its implementing rules.

I further certify based on information and belief formed after reasonable inquiry that these local provisions will be adequately enforced.

Signature: _____

Print Name: _____

Title: _____

Date: _____